

REMARKS

Applicants thanks the Examiner for examining the application. Applicants has added to the specification a new paragraph replacing former paragraph [0002], which now includes the application serial numbers for the co-pending applications originally identified only by their Attorney Docket numbers. Applicant has amended claims 1, 4, 10-11, and 16-20, cancelled claim 3, and added new claims 21-25, support for which may be found throughout the specification. No new matter has been added by these amendments.

Drawings

Applicants believe the replacement drawings attached to this paper are in compliance with 37 C.F.R. § 1.84 and 37 C.F.R. § 1.121, as required by the Office Action, and that all changes have been adequately described above.

Claim Rejection - 35 U.S.C. § 112 ¶2

The Examiner rejected claims 1 and 16 under 35 U.S.C. § 112 ¶2 as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention. Specifically, the Examiner indicated that certain descriptive phrases did not unambiguously recite which phrase is being modified.

Applicants have amended claims 1 and 16, and believe these claims as amended, as well as all other pending claims, fully comply with all of the requirements of 35 U.S.C. § 112.

Claim Rejection - 35 U.S.C. § 102(b)

The Examiner rejected claims 1-9 and 12-20 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 6,137,282 to Macke, Sr. et al.

Applicants' amended independent claim 1 requires, among other things, a transmitter operable to drive the first electromagnetic signal along the first conductive element without also driving the second conductive element. Macke, Sr. et al. discloses that electrical pulses are transmitted down cables 304 and 306, respectively, from a pulse source that is part of the TDR electronic components 302 ; *see* col. 4 line 66 to col. 5 line 16. Thus, Macke, Sr. et al. discloses that when the TDR electronic components 302 drive an electrical pulse along its first conductive element, cable 304, the components 302 also drive its second conductive element, cable 306. This differs from a transmitter operable to drive the first electromagnetic signal along the first conductive element without also driving the second conductive element, as required by Applicants' independent claim 1. Thus, Macke, Sr. et al. does not anticipate Applicants' independent claim 1.

Applicants' independent claim 16 contains elements similar to those of Applicants' independent claim 1. Therefore, for the reasons given above, Applicants' independent claim 16 is not anticipated by Macke, Sr. et al.

Applicants' dependent claims 2-9 and 12-15 depend from independent claim 1; Applicants' dependent claims 17-20 depend from independent claim 16. Therefore, these dependent claims are also allowable, as they depend from allowable base claims 1 and 16.

Claim Rejection - 35 U.S.C. § 103(a)

The Examiner rejected dependent claim 11 under 35 U.S.C. § 103(a) as being unpatentable over Macke, Sr. et al. in view of U.S. Patent No. 6,307,380 to Hirai et al. Dependent claim 11 depends from independent claim 1, so in the rejection, the Examiner repeats verbatim the rejection of claim 1 by Macke, Sr. et al. under 35 U.S.C. § 102(b). As discussed above, Macke, Sr. et al. does not disclose, and thus does not teach or suggest, all the elements of Applicants' independent claim 1. Further, Hirai et al. also does not teach or suggest a transmitter operable to drive the first electromagnetic signal along the first conductive element without also driving the second conductive element, as required by Applicant's independent claim 1. Thus, because dependent claim 11 depends from allowable independent claim 1, claim 11 is also allowable.

Applicant notes that the Examiner neither rejected nor objected to dependent claim 10. However, based on the discussion above, and because dependent claim 10 depends from allowable independent claim 1, dependent claim 10 is also allowable.

CONCLUSION

Applicant believes this Amendment and Response to be fully responsive to the present Office Action. Thus, based on the foregoing Remarks, Applicant respectfully submits that this application is in condition for allowance. Accordingly, Applicant requests allowance of the application.

PATENTS
Attorney Docket No. FOM-139.03
02,520

Applicants invite the Examiner to contact the Applicants' undersigned Attorney if any issues are deemed to remain prior to allowance.

Respectfully submitted,



Date: March 4, 2005
Customer No: 25181
Patent Group
Foley Hoag, LLP
155 Seaport Blvd.
Boston, MA 02210-2600

Shaun P. Montana, Reg. No. 54,320
Attorney for Applicants
Tel. No. (617) 832-1245
Fax. No. (617) 832-7000

PATENTS
Attorney Docket No. FOM-139.03
02,520

IN THE DRAWINGS:

The attached nine sheets of drawings include changes to Figs. 1-7B. These sheets, which include Figs. 1-7B, replace the original sheets including Figs. 1-7B.

In accordance with the Office Action, the drawings no longer contain hand drawn characters and figures, and thus comply with the requirements of 37 C.F.R. § 1.84.